

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,)	
)	
v.)	1:95-cr-00025-DBH-1
)	1:98-cr-00042-DBH-2
KENNETH LEON MEADER,)	
)	
Defendant)	

RECOMMENDED DECISION

Following the dismissal of Defendant's motion for medical treatment as moot, (1:95-cr-00025-DBH-1: Order, ECF No. 145; 1:98-cr-00042-DBH-2: Order, ECF No. 66), Defendant filed a reply memorandum in support of the motion. (1:95-cr-00025-DBH-1: Reply, ECF No. 146; 1:98-cr-00042-DBH-2: Reply, ECF No. 67.) After review of the reply memorandum and further review of the medical records referenced in the prior order, I discern no reason to alter my analysis or otherwise to reconsider my assessment of Defendant's motion.

Upon further review of Defendant's motion, however, because Defendant's motion is not a pretrial motion, a recommended decision, instead of an order, is arguably appropriate. As set forth in the order (1:95-cr-00025-DBH-1: ECF No. 145; 1:95-cr-00042-DBH-2: ECF No. 66), the medical records (1:95-cr-00025-DBH-1: ECF No. 144-1; 1:98-cr-00042-DBH-2: ECF No. 65-1) reflect that the issues Defendant identified in his motion were addressed, with Defendant's participation, during a March 30, 2021, medical

appointment.¹ To the extent, therefore, that the Court has the authority or ability to intervene in the management of Defendant's medical care, I find no reason to intervene. Accordingly, I recommend the Court dismiss Defendant's motion.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which de novo review by the district court is sought, together with a supporting memorandum, within fourteen (14) days of being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to de novo review by the district court and to appeal the district court's order.

/s/ John C. Nivison
U.S. Magistrate Judge

Dated this 11th day of May, 2021.

¹ The medical records filed by the Government include duplicates of the records provided to the Court by the Office of United States Probation and Pretrial Services.